# SHERIFF'S DEPARTMENT

"A Tradition of Service"

#### OFFICE CORRESPONDENCE

DATE:

May 9, 2016

FROM:

DAVID E. HALM, COMMANDER

EAST PATROL DIVISION

TO: PATRICK J. VALDEZ, CAPTAIN

PICO RIVERA STATION

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:

FO2379476

Incident:

Use of Force

Incident Date:

May 18, 2015

Unit:

Pico Rivera Station

Suspect:

FH/

Involved Employees:

Deputy Michael Stocz #

Deputy Sergeant

# 2

EFRC Date:

May 9, 2016

The Executive Force Review Committee (EFRC) consisting of Commanders David E. Halm, Michael R. Claus, and John S. Benedict met and reviewed the above case.

#### FINDINGS:

The EFRC determined the use of force and tactics were within Department policy.

#### RECOMMENDATIONS:

The EFRC made no recommendations.

DEH:TLB:tlb

# Los Angele County Sheriff's D partment Supervisor's Report on Use of Force

Page 1 of 3 Incident Information URN: 0 1 5 - 0 3 8 7 0 - 1 5 1 9 Date: Time: 4 5 5 05/18/15 1742 Location: Terradell Street City or Station Pico Rivera South Patrol Division / Pico Rivera Station Bureau/Station/Facility: Admin, Investigation: YES O NO Type of Force: Taser / Control Holds Incident Category: ( NO O1 ()2 3 Deputy Injury : () YES Suspect Injury ● YES ○ NO X Call Observation Detail Foot Pursuit Vehicle Pursuit IAB Notified: OYES ONO Person Notified: ● YES ○ NO Lieutenant M. Berg Emp: IAB Roll Out Involved Employee Employee # Last Name First Name Middle I. Rank Deputy Stocz Michael Sex: Height: Weight: Race Shift: OEM ODay OPM Regular Shift OT Shift Off Duty W 5'11" 226 Unit of Assignment: Work Assignment (Unit #, Module, etc.): PRV 151A Individual Force Used: Individual Category Obrected Rescue Medical Assist Taser  $\bigcirc 1 \bigcirc 2$ 3 Coroner Case # Treated Injured Admitted Whittier Presbyterian Facility: Middle I Last Name First Name Rank E2 Deputy Weight: Sex: Race: Height: Shift: OEM ODay OPM Regular Shift OT Shift Off Duty 6'04" H 260 Work Assignment (Unit #, Module, etc.): Unit of Assignment: PRV 151 Individual Force Used: Individual Category Directed ( Rescue ( Medical Assist Control Holds ① 1 ()2 ()3 Coroner Case # Injured X Treated Admitted Facility: Whittier Presbyterian Middle Last Name First Name Rank Sgt **E** 3 Height: Weight: Race: OEM ODay OPM ( Regular Shift ( ) OT Shift ( ) Off Duty OM OF 5"0" 120 H Work Assignment (Unit #, Module, etc.): Unit of Assignment: PRV 150S Individual Force Used: Individual Category C Directed @ Rescue @ Medical Assist Control Holds ① 1 ()2 ()3 Coroner Case # Injured Treated Admitted Whittier Presbyterian Facility: On Duty Supervisor Additional Involved Employees Middle I. Rank Witness to Incident Last Name First Name Present Emp. # Sgt. YES O NO C YES O NO C Supervisor Completing Investigation Last Name First Name Middle I. Present Witness to Incident Torres Benjamin Sgt. YES () NO ( YES ( ) NO ( ) Watch Commander / Supervising Lieutenant Last Name Villanueva First Name Alex Lt. Alex Villanueva 04/12/2016 Watch Commander / Supervising Lieutenant's Signature: Emp #: Date rovided to Employee by: 04/12/2016 Captain Patrick J. Valdez Unit Commander (Print Name) Unit Commander's Signature: Emp#: Date PERSONAL BANK Original: Discovery Unit PPI REVIEW COMPLETED FO# Copy: Unit Commander

SH-R-438P (Rev. 01/13)

# Sup visor's Report on Use of For SUSPECT INFORMATION

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Page 2 of 3

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	By: Dr. Orlinsky	Address: 2051 Ma	rengo Street, Los Angele	S Phone #: (323)409-1000			
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# Sup visor's Report on Use of For 0 1 5 - 0 3 8 7 0 - 1 5 1 9 - 4 5 5

#### Method

(BC) (BI) (BF) (CN)	Control Holds: (Control Techniques) Control Holds: (Team Takedown) Control Holds: (Takedown) Chemical	(FR) (FS) (FO) (FB) (FL) (OE) (OV) (OB) (OO) (PK) (PS)	Firearm (Handgun) Firearm (Rifle) Firearm (Shotgun) Firearm (Other) Flashbang Flashlight Other Weapon: Edged Other Weapon: Vehicle Other Weapon: Blunt Object Other Weapon: Other Personal Weapon: Feet/Leg: (Kick) Personal Weapon: Feet/Leg: (Sweep) Personal Weapon (Hand/Arm)	(RS) (RO) (RH) (HB) (TP) (RE) (SP) (SH) (SB) (ST)	Personal Weapon (Other) Resistance Restraint Device (Other) Restraint Device (Handcuffs) Restraint Device: Hobble (Legs Only) Restraint Device: Hobble (TARP) Restraint Device: REACT Belt Sap Shield Less Lethal Impact Round (other) Sting Ball Stun Bag Taser
	- 1	(PH)		(TR) (UC)	

Type of Injury				Body Part involved						
(AB) Abrasion (BR) Bruise (BU) Burn (CP) Complaint of Pain (CO) Concussion (DH) Death (DI) Dislocation	(FR) (GS) (HB) (LC) (ND)	Dog Bite Fractures Gunshot Human Bite Lacerations Nerve Damage Organ Damage	(SD) (ST) (UN) (RM)	Refused Med Treatment	(AD) (AK) (AR) (BK) (BT) (CH) (EL)	Abdomen Ankle Arm Back Buttocks Chest Elbow	(FE) (FI) (GE) (GR) (HD)	Face Feet Fingers Genitals Groin Hands Head	(HI) (IZ) (KN) (LE) (NK) (NH) (SH) (SR)	Hip Internal Knees Leg Neck Nose Shoulder Wrist

	FORCE USED BY		FORCE USED AG	Mathad	Type of	D 1 D 1	
	Name	E# or S#	Name	E# or S#	Method (Code)	Injury (Code)	Body Part (Code)
		S1	Stocz	E1	UC	NN	NN
	Stocz	E1		S1	TR	CO	HE
		E2	721 161	S1	CT	NN	NN
		E3		S1	CT	NN	NN
		-					
						112	
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# **COUNTY OF LOS ANGELES** SHERIFF'S DEPARTMENT

# **INVESTIGATIVE SUMMARY**

INCIDENT:	Use of Force, Head Injury			
IAB FILE NUMBERS:	FO 2379476			
URN#:	015-03870-1519-455			
DATE/TIME:	May 18, 2015, 1742 hours			
LOCATION:	Terradell Street, Pico Rivera			
SYNOPSIS				
service (Tag 131). The ca female deputy personnel respond description of	hours, Pico Rivera Station dispatched a call for II was voiced over radio dispatch and indicated a , had cut herself with a knife and was bleeding. As ed Code-3, the call was updated to include a clothing. In addition, had left her residence) and was walking in the street.			
The first unit to arrive on the scene was Deputy Stocz. Seconds later, Deputy and Sergeant arrived. Sheriff Department personnel immediately identified from the given information received through Pico Rivera's dispatched call. It was bleeding from what appeared to be a self-inflicted stab or slash wound to her neck area. Deputy Stocz noticed Patient had a knife in her hand. He immediately positioned his vehicle with approximately twenty feet from Patient and himself. Deputy Stocz began to articulate several commands to Patient to no avail, as she continued to walk eastbound on Terradell Street, ignoring Deputy Stocz's commands.				
Deputy personnel on scene described Patient as being covered in blood and having "blank" stare on her face. Patient began to walk up driveway at Terradell Street. Deputy Stocz deployed his issued Taser and continued to articulate commands to Patient She, however, continued to disregard all commands given by Deputy Stocz. Deputy Stocz believed Patient needed medical attention immediately for her self-inflicted wound. In addition, she was turning to walk toward an occupied residence, so he fired the Taser. Patient was hit with the Taser darts in the rear/side area of her body. After Patient was struck, she immediately fell and her head on the ground near the driveway area.				

Before handcuffing Patient the knife she was holding was secured by Deputy Stocz. Deputies Stocz and along with Sergeant tender to Patient neck area, until Los Angeles County Fire Paramedics #25 arrived. Patient was transported to Los Angeles County Medical Center via ambulance.
On May 19, 2015, Internal Affairs Bureau (IAB) Sergeant Mark Lopez responded to Los Angeles County Medical Center (LCMC). Sergeant Lopez responded in regard to a use of force resulting in a subdural hematoma. Sergeant Lopez's attempt to interview Patient was unsuccessful as she was undergoing treatment for self-inflicted injuries. Later that evening, she was subsequently transferred to Kaiser Hospital in Downey. On May 29, 2015, Sergeant Lopez me with Patient at Kaiser Hospital in Downey. On September 6, 2015, the case was reassigned to Sergeant Benjamin Torres.
IAB Note: A Sheriff's Department incident report, as well as supplemental reports were prepared by the involved personnel and are included with this case [Exhibit A].  A voice print of the call is attached [Exhibit B].

# **INVOLVED EMPLOYEE AND WORK HISTORY**

Michael Stocz- Deputy # South Patrol Division
Pico Rivera Station

**Work History** 

Date of Employment:
Date Assigned to PRV:
Prior Shooting Incidents:
Prior Founded Force Incidents:

August 04, 2004 April 01, 2012

### **Equipment Worn On Person**

Oleoresin Capsicum (OC) Spray

PR-24 baton

Taser

# INVOLVED EMPLOYEE AND WORK HISTORY

- **Deputy #**South Patrol Division
Pico Rivera

**Work History** 

Date of Employment: Date Assigned to PRV: Prior Shooting Incidents:

Prior Founded Force Incidents

March 07, 2007 February 23, 2014

# **Equipment Worn On Person**

Oleoresin Capsicum (OC) Spray

PR-24 baton

#### INVOLVED EMPLOYEE AND WORK HISTORY

Sergeant #

South Patrol Division Pico Rivera Station

Work History

Date of Employment:

Date Assigned to PRV:

**Prior Shooting Incidents:** 

Prior Founded Force Incidents:

April 02, 1998

April 26, 2014

# **Equipment Worn On Person**

Oleoresin Capsicum (OC) Spray

PR-24 baton

## PATIENT INFORMATION

Female, Hispanic, DOB:

5'06", 200 pounds

#### PATIENT INJURIES

Patient sustained a subdural hematoma from falling to the ground. She also suffered a collapsed lung and large laceration to her neck (self-inflicted).

#### **DEPUTY PERSONNEL INJURIES**

No injuries to deputy personnel.

#### PHYSICAL EVIDENCE

Large knife covered in blood. Photo attached [Exhibit A]

#### **INVESTIGATOR'S OBSERVATIONS**

None

WEAPON USED BY DEPUTY PERSONNEL

Taser.

WEAPONS USED BY PATIENT

Knife

PROPERTY DAMAGE BY PATIENT

None.

### CRIMINAL INVESTIGATORS AND CHARGES FILED

There was no criminal investigation done, nor was Patient arrested for any criminal activity. Patient was placed on a 5150 WIC hold and held at Los Angeles County Medical Center for evaluation and subsequently transferred to Kaiser Hospital in Downey.

# LIGHTING AND WEATHER CONDITIONS

The scene was illuminated by natural sunlight at the location. The weather was clear and cool.

# WITNESS STATEMENTS

# INVOLVED EMPLOYEE DEPUTY MICHAEL STOCZ #

On February 25, 2016, Deputy Stocz was interviewed by Internal Affairs Bureau (IAB) Sergeants Benjamin Torres and Eric Barron. The interview was conducted at the IAB office. Representing Deputy Stocz was Sherry Lawrence from the law offices of Greene & Shinee. The following narrative is a summary of the interview, which was digitally recorded and transcribed.

On May 18, 2015, Deputy Stocz was assigned to Pico Rivera Station Unit 151A, located in the city of Pico Rivera, when he received a dispatch call informing him of a suicide attempt on Pico Vista Street, in Pico Rivera. As he drove Code-3 to the location, he was followed by Deputy and Sergeant Pico Rivera Station Unit 151K had the handle on the call. Deputy Stocz recalled telling the handling unit he was responding with a Taser.

IAB Note: Unit 151K (a two person unit) was the handling unit and the unit coordinating the call, however they did not witness the incident.

not witness the incident.
Prior to Deputy Stocz's arrival, the call was updated via radio. The dispatcher informed the responding deputies that Patient left the location on foot and was walking in a westward direction on Terradell Street. In addition, it was voiced that Patient used a knife to inflict wounds on herself and was covered in blood. Deputy Stocz was en route to the area when he encountered Patient walking on Terradell Street. He stopped his patrol car 40-50 feet from Patient and exited the car. Deputy Stocz took a standing position, at the door of his patrol vehicle, and gave Patient as well as, a knife in her hand. The weather was clear and it was still daylight.
Patient did not respond to Deputy Stocz's commands. He described Patient as being covered from head to toe in blood and staring in his direction with no response. Patient continued to walk toward Deputy Stocz with the knife in her hand. Deputy Stocz continued to articulate the command to drop the knife and repeatedly stated, "We are here to help you."
Deputy and Sergeant arrived at the scene, seconds after Deputy Stocz. They immediately took positions behind him. Deputy Stocz held his Taser in his hand, as he left the driver's door area and walked to the front of his patrol car. To ensure Patient was able to hear and see him, Deputy Stocz positioned himself approximately 20 feet from Patient As she realized his position, she stepped toward Deputy Stocz. He stepped to his right, as not to allow Patient to get to close to him. He recalled Patient was crying and yelling incoherent statements. Patient turned and began walking south toward a residence (not her own).
Patient still in possession of the knife, began walking toward the residence at Terradell Street. Due to the lights, sirens, and commotion going on in the street, people gathered along the street to watch. Two or three people were standing on the front yard of the residence Patient was walking toward. When Patient reached the driveway portion of that residence, Deputy Stocz continued giving commands to drop the knife. Deputy Stocz warned Patient and the other assisting units that he was going to deploy the Taser. Deputy Stocz yelled, "Taser, Taser."

Deputy Stocz fired the Taser at Patient rear/side of her body and cycled it for five seconds. Patient fell on the apron area of the driveway consisting of grass and concrete. However, Deputy Stocz could not recall were Patient head landed. Sergeant and Deputy took control of Patient arms, giving Deputy Stocz the opportunity to remove the knife from her hand. Patient was then handcuffed by Sergeant She became more coherent after being handcuffed and seemed to calm down. She was observed by the deputies to be more complacent and willing to follow all given instructions.
Deputy Stocz said he deployed the Taser due to the totality of the circumstances. Patient was holding a knife; she had inflicted injuries to herself; and was not responding to commands. In addition, she was a danger to herself and others. He felt the Taser was the best option to end the situation ensuring no one else could potentially become injured, or be killed. Deputy Stocz believed the incident, including the use of the Taser, occurred rather quickly. He felt his use of the Taser was reasonable and consistent with his department training.
Immediately after using the Taser, Deputy Stocz assessed Patient injuries and observed blood coming from the stab wound. The blood covered her entire body. Deputy Stocz did not see any blood coming from Patient head area and recalled retrieving a clean blanket from the trunk of his assigned patrol car, in order to begin applying pressure to the wound.
Deputy Stocz recalled holding Patient legs as Deputy was holding her upper body. They were attempting to keep her placid, as not to further injure herself. Deputy Stocz used his hand held radio to contact the Los Angeles County Fire Department, who was already responding at the time the call was upgraded.
While Deputy Stocz attended to Patient was covered in blood and continued to bleed the entire time she was in contact with deputy personnel. Deputy Stocz later learned, Patient was Accordingly, he received medical attention
INVOLVED EMPLOYEE DEPUTY #
On February 25, 2016, Deputy was interviewed by Internal Affairs Bureau (IAB) Sergeants Benjamin Torres and Eric Barron. The interview was conducted at the IAB office. Representing Deputy was Sherry Lawrence from the law offices of Greene & Shinee. The following narrative is a summary of the interview, which was digitally recorded and transcribed.

On May 18, 2015, Deputy was assigned to Pico Rivera Unit 151. He recalled dispatch voicing a call of an attempted suicide on Pico Vista Street. Pico Rivera Station Unit 151K took the handle and coordinated the call, asking if anyone had a Taser. In addition, they directed all responding units where to meet. As Deputy drove to the location, Code-3 (along with Sergeant and Deputy Stocz), the call was updated via radio dispatch. Deputy heard Deputy Stocz confirm he had a Taser via the radio.
Deputy was en route to the predetermined meeting location. While responding, he came across Patient walking westbound on Terradell Street. He observed Patient bleeding from head to toe and was holding a knife in her left hand. Patient was walking in their (deputy personnel) direction.
Deputy parked his patrol car and exited. He recalled that Deputy Stocz was the first to give Patient per verbal commands. Patient was standing 15 to 20 feet from Deputy Stocz's patrol vehicle. Deputy described Terradell Street as a residential street lined with homes on either side. As Patient was standing in the street, Deputy Stocz was telling her, "Drop the knife." Deputy recalled Patient having a blank stare and "didn't know if she was under the influence, or maybe she had a medical condition."
Deputy recalled seeing Patient clothing covered in blood.  Upon closer inspection, he noticed that she was bleeding from the head or from within that area. Deputy recalled Deputy Stocz standing at the door of his patrol vehicle but then moved to the front of his vehicle when Patient pegan to walk away. As Patient walked away, Deputy Stocz continued to give her verbal commands. Patient did not follow the commands, and instead, stood in the street with a blank stare on her face, continuing to hold the knife.
Deputy Stocz. Deputy recalled Sergeant standing behind Deputy Stocz. Deputy noticed several individuals had come out of their houses and were watching them. Patient was at the curb area of the street where the residential driveway began. Deputy observed Deputy Stocz fire the Taser at Patient She immediately fell to the ground and the knife fell out of her hand. Deputy Deputy Stocz, and Sergeant approached Patient They wanted to gain control of her and check her welfare.
Deputy took a hold of Patient elbow area, because her hands were covered in blood. Deputy maintained control of Patient as Sergeant handcuffed her. Patient was screaming and kicking in panic. Deputy turned to Patient and said, "Ma'am,

we're trying to help you." There was a large wound on Patient neck. so, Deputy went to his patrol car and retrieved a blanket. Deputy placed the blanket over the wound. Los Angeles County Fire Paramedics were on scene within minutes. They immediately began treating Patient
Deputy believed they had complete control of the situation. He felt the Taser was the correct option and estimated the total incident time as three to five minutes. Deputy later learned that Patient was least learned the subsequently sought out medical treatment
INVOLVED EMPLOYEE SERGEANT
On February 24, 2016, Sergeant was interviewed by Internal Affairs Bureau (IAB) Sergeants Benjamin Torres and Eric Barron. The interview was conducted at the IAB office. Representing Sergeant during the interview was Teresa O'Neil, labor representative for the Los Angeles County Professional Peace Officers Association. The following narrative is a summary of the interview, which was digitally recorded and transcribed.
On May 18, 2015, Sergeant was assigned to Pico Rivera Unit 150S, as a supervising field sergeant. She recalled dispatch sending out a priority voiced call, describing a female (Patient with a knife. Unit 151K coordinated the call on the radio. The call was upgraded to an emergency situation when Patient stabbed herself with the knife. Sergeant Alvarez activated her lights and sirens.
Sergeant could not recall the actual coordination that took place on May 18, 2016. She did however recall feeling that the coordination was appropriate for the situation. Her assignment was to respond to the front of the location. Sergeant responded behind Deputy and Deputy Stocz. She arrived a few seconds behind them on Terradell Street. She saw Patient covered in blood from her head to waist. Sergeant saw Deputy Stocz stop his patrol vehicle a safe distance from Patient Sergeant stopped her patrol vehicle behind Deputy Stocz' and exited.
Sergeant could hear Deputy Stocz yelling commands at Patient to drop the knife. Sergeant could see the knife in Patient hand, as she walked toward them. Deputy Stocz was pointing his Taser at Patient as he continued to give her orders. Patient was walking in the middle of a residential street. All of a sudden, Patient turned and began to walk away from them (Deputies Stocz and and Sergeant).
Terradell is an East / West traveling street and Patient began walking South toward the residences. Patient had already walked

Street. Sergeant Alvarez recalled seeing people around the immediate area.  She and Deputy Stocz walked approximately twelve feet behind Patient  Deputy Stocz told Sergeant  Patient  Deputy Stocz told Sergeant  Patient
Sergeant agreed with the deployment of the Taser and elaborated on the Taser deployment. Patient was clearly in the high-risk category. She was in dire need of medical attention, and she was a threat to others in the area. Sergeant believed that if Patient had been allowed to walk any further, the situation could have turned life threatening for all involved, including Patient Deputy Stocz fired the Taser. The Taser darts struck Patient in the back area.
Patient was momentarily incapacitated and she fell facedown onto the asphalt. Sergeant recalled Patient hitting her forehead when she fell. Patient remained conscious after striking her head and was still in possession of the knife. Sergeant controlled Patient upper body and applied handcuffs to her wrist. Sergeant later learned that Patient was She subsequently sought out medical treatment
PATIENT STATEMENTS
PATIENT
On May 29, 2015, Patient was interviewed by Internal Affairs Bureau (IAB) Sergeant Mark Lopez. The interview was conducted at Kaiser Hospital in Downey. The following narrative is a summary of the interview, which was digitally recorded and transcribed.
She was unable to recall the events occurring on May 18, 2015. Her doctor informed her that she had experienced two brain aneurysms, approximately three days before May 18, 2015. Leading up to the force incident, Patient remembered acting strange and not feeling like herself. She had no sense of time, date, or anything of that nature. Patient had taken heart medication prior to the incident on May 18, 2015, and felt that might have been a contributing factor to her behavior. She denied taking any illegal narcotics. Prior to that, she had no medical issues and was feeling fine.
Patient continued to describe her actions leading up to May 18, 2015. She recalled urinating in her bed while wearing her pajamas. She was feeling scared and remembers sitting in a chair in the bedroom for three days. Patient did not understand what was happening to her leading up to May 18,

2015. Patient	was asked if she remembered walking outside carrying
a knife, injuring herse	If or coming into contact with the deputies. To all questions
	tient did not remember anything as it pertained to
	ne vaguely remembered staring at a fireman the day of the
incident, which calme	d her down.
Detient and	ashaw limewaka aswaad tha iniwa ta baasaata Oba
	nehow knew she caused the injury to her neck. She
	d not intend to hurt herself. She apologized to the deputies
for her actions. She	declined to sign a medical release form.

IAB Note: Sergeant Lopez observed a small bump on Patient head near her hair line. The bump was possibility a result of her fall from being Tasered.

# **ADDITIONAL INFORMATION**

None